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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT TACOMA

7 RONALD K. JOHNSON,

8 Petitioner,

9 v.

10 STATE OF WASHINGTON,

11 Respondent.


Case No. C08-5474FDB

ORDER DENYING PETITIONER'S  
MOTION FOR EXTENSION OF  
TIME TO FILE OBJECTIONS

12 The Court adopted the Magistrate Judge's Report and Recommendation in this case on  
13 January 20, 2009. The matter was noted for January 9, 2009, but no objections were filed. The  
14 Magistrate Judge concluded there was a lack of subject matter jurisdiction in this case, and noted  
15 that he was released from prison on August 14, 2007. The Magistrate Judge further concluded that  
16 there was a lack of personal jurisdiction in that the State of Washington was not in any way  
17 Petitioner's custodian, as at no time since he filed his petition, was he "in custody," physically or  
18 otherwise. Additionally, Petitioner has failed to show good cause for his tardy request.

19 ACCORDINGLY, IT IS ORDERED: Petitioner's motion for Extension of Time To File  
20 Answer/or Objection To The Respondent's Report and Recommendation [Dkt. # 17] is DENIED.

21 DATED this 10<sup>th</sup> day of February, 2009.

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24 FRANKLIN D. BURGESS  
25 UNITED STATES DISTRICT JUDGE  
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